IN THE CLAIMS

1. (currently amended) A nonaqueous electrolyte battery comprising:

a battery element contained in an outer covering member composed of a laminated film and sealed therein by heat seal;

a gas absorbable material and resin material interposed between an outermost layer of said outer covering member and said battery element, a content of the gas absorbable material being in a range of 0.1wt% to 95wt% on a basis of a weight of the resin material, the gas absorbable material having a thickness in a range of 50 μm to 1.0 mm;

a first gas absorbable member positioned at a first side of the battery element; and

a second gas absorbable member positioned at a second side of the battery element opposite the first side;

said laminated film having a first outer covering member and a second outer covering member, the first outer covering member and the second outer covering member being a single common piece of material;

said first outer covering member having a preformed recess accommodating the battery element;

said second outer covering member extending from one side of the first outer covering member and folded onto the first outer covering member covering the battery element and the preformed recess.

2. (previously presented) A nonaqueous electrolyte battery according to claim 1, wherein said gas absorbable material is a porous metal oxide or a porous carbon material.

3. (original) A nonaqueous electrolyte battery according to claim 2, wherein said porous metal oxide is one kind selected from a group consisting of zeolite, alumina, molecular sieve, titania, silica gel, and zirconia.

4. (original) A nonaqueous electrolyte battery according to claim 2, wherein said porous carbon material is activated carbon or carbon molecular sieve.

5. (previously presented) A nonaqueous electrolyte battery according to claim 1, wherein said gas absorbable material is mixed with a resin material and the mixture is molded to form said first and second gas absorbable members, and said first and second gas absorbable members

are inserted between the outermost layer of said outer covering member and at least one or more planes of said battery element.

6. (original) A nonaqueous electrolyte battery according to claim 1, wherein said gas absorbable material is contained in said laminated film.

7. (original) A nonaqueous electrolyte battery according to claim 1, wherein an electrolyte constituting part of said battery element is a gel electrolyte or solid electrolyte containing a matrix high polymer and a lithium salt.

8. (original) A nonaqueous electrolyte battery according to claim 1, wherein a negative electrode constituting part of said battery element contains a material in or from which lithium is allowed to be doped or undoped.

9. (original) A nonaqueous electrolyte battery according to claim 8, wherein said material in or from which lithium is allowed to be doped or undoped is a carbon material.

10. (original) A nonaqueous electrolyte battery according to claim 1, wherein a positive electrode constituting part of said battery element contains a composite oxide of lithium and a transition metal.

11. (original) A nonaqueous electrolyte battery according to claim 1, wherein said battery is a secondary battery.